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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,)	No. CR 16-00410 JST
)	
14 Plaintiff,)	
)	STIPULATION AND PROPOSED ORDER TO
15 v.)	EXCLUDE TIME UNDER THE SPEEDY TRIAL
)	ACT
16 MELVIN ALEXANDER CRUZ-MENDOZA,)	
)	
17 Defendant.)	
)	

18
19 On September 22, 2017, the parties appeared in District Court for a status conference regarding
20 the competency proceedings for Defendant, Melvin Alexander Cruz-Mendoza. The Court and the
21 parties have received the Forensic Evaluation report from the Bureau of Prisons' (BOP) Metropolitan
22 Detention Center, Los Angeles. Defense counsel requested additional time to have a retained
23 psychologist review the Forensic Evaluation report prepared by BOP, and conduct an independent
24 evaluation. The psychologist has begun his evaluation, but needs additional time to complete the
25 process and render a complete opinion, which could provide information pertinent to any sentencing
26 hearing that may take place. The Court set the next hearing date on November 3, 2017, for a likely
27 change of plea. The parties stipulated and agreed that time should be excluded under the Speedy Trial
28 Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for effective preparation of counsel, because the defense

STIP. REQUEST TO EXCLUDE TIME

1 psychologist is still assessing Mr. Cruz-Mendoza, and the information in the evaluation and assessment
2 may be used as mitigation information in any sentencing hearing that takes place.

3 DATED: September 25, 2017

Respectfully submitted,

5 BRIAN J. STRETCH
United States Attorney

6 /s/ Christina McCall
7 CHRISTINA McCALL
8 Assistant U. S. Attorney

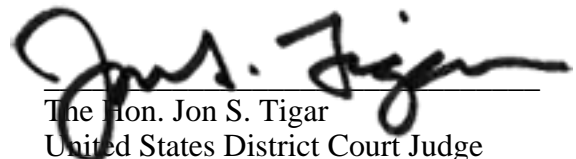
/s/ Angela M. Hansen
ANGELA M. HANSEN
Attorney for Melvin
Alexander Cruz-Mendoza

11 **ORDER**

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13 Upon the stipulation of the parties and for good cause shown, it is hereby ordered time be
14 excluded between September 22, 2017 and November 3, 2017 from calculations under the Speedy Trial
15 Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for effective preparation of counsel, because defense
16 counsel has hired an expert to assess Defendant, and potentially provide information that may impact
17 any sentencing hearing.

18 IT SO ORDERED.

19 DATED: September 25, 2017

20 
The Hon. Jon S. Tigar
United States District Court Judge